

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 99257412 MODIFICATION NUMBER: 2 PROGRAM CODE: BG	DATE OF AWARD 12/24/2013	
			TYPE OF ACTION Augmentation: Increase		MAILING DATE 12/31/2013
			PAYMENT METHOD: Advance		ACH# 20040
			RECIPIENT TYPE: State		Send Payment Request to: Las Vegas Finance Center
RECIPIENT: NYS Dept of Environmental Conservation 625 Broadway Albany, NY 12233-5010 EIN: 14-6013200			PAYEE: NYS Dept of Environmental Conservation 625 Broadway Albany, NY 12233-5010		
PROJECT MANAGER Petrer Freehafer 625 Broadway Albany, NY 12233-5010 E-Mail: pbfreeha@gw.dec.state.ny.us Phone: 518-402-8219		EPA PROJECT OFFICER Martha Isaac 290 Broadway, CWD/DO New York, NY 10007-1866 E-Mail: Isaac.Martha@epamail.epa.gov Phone: 212-637-3761		EPA GRANT SPECIALIST Cynthia Pabon Grants and Audit Management Branch, OPM/GAMB E-Mail: pabon.cynthia@epa.gov Phone: 212-637-3405	
PROJECT TITLE AND EXPLANATION OF CHANGES NYSDEC FY 13/14 PPG This amendment increases the amount of federal funds obligated under the agreement by \$1,969,568. This action brings the program to the fully-approved amount. Also, the Programmatic Conditions section includes a new condition related to demonstrated competency of recipients generating environmental measurement data under EPA-funded assistance agreements.					
BUDGET PERIOD 04/01/2013 - 03/31/2014		PROJECT PERIOD 04/01/2013 - 03/31/2018		TOTAL BUDGET PERIOD COST \$20,742,203.00	
				TOTAL PROJECT PERIOD COST \$20,742,203.00	
NOTICE OF AWARD					
Based on your Application dated 08/26/2013 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$1,969,568. EPA agrees to cost-share 61.33% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$12,720,300. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866			ORGANIZATION / ADDRESS U.S. EPA, Region 2 Clean Water Division 290 Broadway New York, NY 10007-1866		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official for Donna J. Vizian - Assistant Regional Administrator for Policy and Management Richard Manna - Award Official delegate				DATE 12/24/2013	

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 10,442,732	\$ 1,969,568	\$ 12,412,300
EPA In-Kind Amount	\$ 308,000	\$	\$ 308,000
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 8,021,903	\$	\$ 8,021,903
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 18,772,635	\$ 1,969,568	\$ 20,742,203

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	Appropriations Act of 1996 (PL 104-134) Appropriations Act of 1998 (PL 105-65)	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1402HE0067	14	E1	02N2	202B06	4108	-	-	1,844,568
-	1402HE0067	14	E1	02N2	202B01	4108	-	-	125,000
									1,969,568

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$7,919,863
2. Fringe Benefits	\$4,652,920
3. Travel	\$291,000
4. Equipment	\$194,000
5. Supplies	\$485,000
6. Contractual	\$4,227,214
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$17,769,997
10. Indirect Costs: % Base	\$2,972,206
11. Total (Share: Recipient <u>38.67</u> % Federal <u>61.33</u> %.)	\$20,742,203
12. Total Approved Assistance Amount	\$12,720,300
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$1,969,568
15. Total EPA Amount Awarded To Date	\$12,720,300

Administrative Conditions

All Administrative Conditions remain the same .

Programmatic Conditions

The following condition is added:

6. COMPETENCY OF ORGANIZATIONS GENERATING ENVIRONMENTAL MEASUREMENT DATA

In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, Recipient agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, Recipient agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. Recipient shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at http://www.epa.gov/fem/lab_comp.htm or a copy may also be requested by contacting the EPA project officer for this award.